

CC TO JUDGE KU

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OCT 29 2001 KN

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
DEPUTY

BY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Amazon.com, Inc.,

Plaintiff,

v.

Barnesandnoble.com, Inc. and
Barnesandnoble.com, LLC,

Defendants.

Civil Case No. C99-1605P
Pending in the United States District
Court of the Western District of
Washington

DECLARATION OF JOHN DOERR

I, John Doerr, declare as follows:

1. I am a partner of Kleiner Perkins Caufield & Byers, and investment
firm located at 2730 Sand Hill Road, Suite 250, Menlo Park, California.

2. On October 24, 2001, I was served with the Subpoena for Deposition
and Production of Documents (the "Subpoena"), issued by Steven I. Wallach, attorney for
Defendants Barnesandnoble.com, Inc. and Barnesandnoble.com LLC (collectively the
"Defendants"), and dated October 23, 2001. The Subpoena purports to require my
appearance for deposition on October 31, 2001, which is only seven (7) days after I was
served. Prior to service of the Subpoena, the Defendants did not notify me of their
intention to seek my deposition.

3. Due to the short notice and my responsibilities as a partner at Kleiner
1.

DECLARATION OF JOHN DOERR
CASE NO C99-1605P

1 Perkins Caulfield & Byers, I am unable to rearrange my schedule to accommodate having
2 my deposition taken on October 31, 2001.

3 4. I have reviewed the Subpoena and the Requests attached as Schedule
4 A to the Subpoena. In accordance with the Subpoena as understood, I have searched my
5 records and have determined that I do not have any documents responsive to the Requests
6 attached as Schedule A to the Subpoena.

7 5. I have little recollection of the subjects relating to the document
8 requests attached as Schedule A to the Subpoena.

9 I declare under penalty of perjury pursuant to the laws of the United States
10 that the foregoing facts are true and correct.

11 Executed on October 29, 2001, at Menlo Park, California.

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14 John Doerr

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DECLARATION OF JOHN DOERR
CASE NO. C98-1603P